



Attorney Docket No. SURR.79

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: NAM Q. HUYN

SERIAL NO.: 09/994,576

FILED: NOVEMBER 27, 2001

TITLE: METHODS FOR EFFICIENTLY
MINING BROAD DATA SETS FOR
BIOLOGICAL MARKERS

EXAMINER: SMITH, CAROLYN R.

ART UNIT: 1631

CONF. NO: 7296

#7
Plunkett
5/22/03
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MAY 15 2003

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TECH CENTER 1600/2900

ELECTION REQUIREMENT

Sir:

In an Office Action mailed April 30, 2003, pending claims 1-42 were subject to two species election requirements:

First Species Election Requirement:

Specie A: step (a) that uses correlation analysis

Specie B: step (a) that uses differential significance analysis

Specie C: step (a) that uses other forms of analyses

Second Species Election Requirement:

Specie D: selecting a biomarker using simulated annealing

Specie E: selecting a biomarker using a non-simulated annealing technique

Applicants elect Species A and E without traverse. Claims 6-10 read on specie A, and claims 1-5 and 13-42 are generic to species A, B, and C. Claims 16-18 read on specie E,

37 CFR 1.8

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450: on May 9, 2003

Signature: Tracy E. Crispino

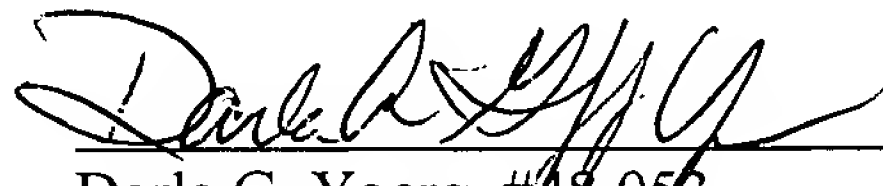
Name: Tracy E. Crispino

and claims 1-15, 20-23, 39-40, and 42 are generic to species D and E.

This constitutes a request for any needed extension of time and an authorization to charge all fees therefor to deposit account No. 19-5117, if not otherwise specifically requested. The undersigned hereby authorizes the charge of any fees created by the filing of this document or any deficiency of fees submitted herewith to be charged to deposit account No. 19-5117.

Respectfully submitted,

Date: May 9, 2003



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